

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William H. Walls
v. : Crim. No. 12-251
CLARENCE NOEL : ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (Lorraine S. Gerson, Assistant U.S. Attorney), and defendant Clarence Noel (Peter Carter, AFPD, appearing) for an order granting a continuance of the proceedings in the above-captioned matter for a period of 60 days to permit defense counsel to have additional time for effective plea discussions in this matter and to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, no prior continuances have been requested and the defendant being aware that he has the right to have the matter tried within seventy days of the date of the defendant's arrest pursuant to Title 18, United States Code, Section 3161(c)(1), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The charges in this case are significant in that, based on the crime charged and defendant's criminal history

category, defendant's guideline sentencing range exposes him to a substantial prison term;

(2) Plea negotiations have been initiated but both the United States and the defendant believe that, based on the factors set forth in paragraph 1, above, additional time to conclude a plea agreement is necessary;

(3) A plea agreement would render any subsequent trial of this matter unnecessary; and

(4) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 6 day of June, 2012,

ORDERED that this action be, and it hereby is, continued for a period of 60 days from July 3, 2012 through September 4, 2012;

ORDERED that the period from July 3, 2012 through September 4, 2012 shall be excludable in computing time under the Speedy Trial Act of 1974; and it is further

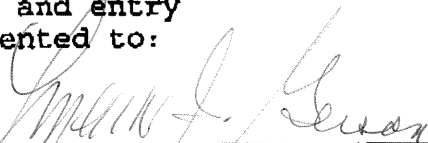
ORDERED that:

defendant's motions shall be filed by 23 July 2012
the Government's response shall be filed by 13 Aug 2012
hearing on motions shall take place on 28 Aug 2012
trial date 11 Sep 2012

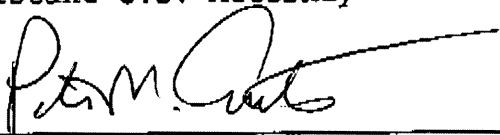


HON. WILLIAM H. WALLS
United States District Judge

Form and entry
consented to:



LORRAINE S. GERSON
Assistant U.S. Attorney



PETER CARTER, Esq.
Counsel for defendant Clarence Noel